

## A Tribute to the Honorable Lynn A. Battaglia

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### Recommended Citation

76 Md. L. Rev. 234 (2016)

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## A TRIBUTE TO THE HONORABLE LYNNE A. BATTAGLIA

MARY ELLEN BARBERA\*

As the third woman appointed to the Maryland Court of Appeals, the Honorable Lynne A. Battaglia made history, though not for the first time. Judge Battaglia already had done that as Chief of the Criminal Investigations Division of the Office of the Attorney General of Maryland, where she greatly expanded the scope and profile of that Division. Later, Lynne Battaglia was appointed by President Clinton to serve as the United States Attorney for the District of Maryland. She led that office from 1993 to 2001, before moving directly from that position to the Court of Appeals. Judge Battaglia's career has signaled excellence at its every turn, from her service as a judge, as a state and a federal prosecutor, as chief of staff for another trailblazer, Maryland's Senator Barbara Mikulski, and as an adjunct professor at Maryland's two law schools. Judge Battaglia has served with great distinction on the Court of Appeals for over 15 years, managing to make everything she has undertaken look easy.

Judge Battaglia is, on all accounts, an extraordinarily talented person. Her intellectual curiosity is matched by her unbounded energy and enthusiastic work ethic. The breadth of Judge Battaglia's opinions, ranging from the reliability of scientific theories relied upon by experts, to recognition of a tort in the context of child access in family law, to a woman's right to withdraw consent to engaging in sexual conduct, to the duties of property owners, and to the law of estates and trusts, gives a sense of the rigor and depth of her legal analysis. Judge Battaglia's writing is clear, cogent, and erudite, providing those who must apply the law with an accessible understanding of the most complex of legal issues. Judge Battaglia's authorship of a three-judge dissent in *Pringle v. State*<sup>1</sup> is proof of her intellect. The strength of her legal analysis in that dissent likely was instrumental in the Supreme Court's decision to take up the case. What followed was *Maryland v. Pringle*,<sup>2</sup> a unanimous reversal of the judgment of the Court of Appeals in an opinion that clarifies the meaning of "probable cause," as that important concept is applied in cases involving the Fourth Amendment. It is

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\* Chief Judge, Court of Appeals of Maryland.

1. 370 Md. 525, 805 A.2d 1016 (2002).

2. 540 U.S. 366 (2003).

no surprise that, as of this writing, *Maryland v. Pringle* has been cited in 1,431 decisions of our state and federal courts.

Judge Battaglia has carried a self-imposed obligation to honor those who marked the trail for her and other women in the legal profession, allowing her to blaze it thereafter. Her last years on the bench as an incumbent judge saw Judge Battaglia not only produce a prodigious number of opinions, but also lead the Professionalism Center, welcoming hundreds of bar admittees to their professional obligations as lawyers. She further chaired the Women Lawyers in Maryland project, which produced the first volume of historical research about those equally dedicated and courageous women who sought to be lawyers in Maryland. The book's title, *Finding Justice*, is taken from a theme that Judge Battaglia knows so well. Judge Battaglia, in her years of service, learned and has taught those who worked with her, as well as those who will follow, that finding justice means more than simply opening the doors of institutions to "let" in those who have been excluded. Finding justice also entails remaking the institutions of justice to reflect the people they serve and the justice they need.

Judge Battaglia is not simply an excellent jurist and a role model to many, she is a true teacher. In addition to those who have benefitted from the law school classes she has taught, many more have learned from her, not just about the law, but also how to be a good lawyer. Diane Feuerherd, one of Judge Battaglia's former law clerks, had this to say about her judge: "Judge Battaglia is a teacher of all things. She set a high standard for herself and held her law clerks to the same. In her chambers, it was so important to her that we learn the tools to practice law and tackle problems."

Judge Battaglia is also a teacher of more seasoned lawyers as well as judges. One among many examples of her eagerness to advance others' knowledge of the law is the well-known, humorously entitled, "Are You Smarter than a Law Clerk": a program offered annually to a standing-room-only group of lawyers and judges at the annual summer meeting of the Maryland State Bar Association. Judge Battaglia, Judge John Fader, Jim Archibald, and Paul Mark Sandler have produced and presented this program for many years. Mr. Sandler tells me that Judge Battaglia "created this wonderful program, serves as the moderator and is really 'The Star of the Show.'" While brimming with the latest legal decisions, statutory and rule changes, the presentation, in Mr. Sandler's words, is "lighthearted," and "full of good humor," showcasing "not only Judge Battaglia's abilities, but also her radiant smile, her exuberance, and her commitment to helping others."

We at the Court of Appeals miss Lynne Battaglia's energy and passion, her love for the law and justice—and for the movies, old and new. We miss her genuine interest in our welfare and that of our families. We miss her

sense of humor. We miss her specialty, Italian cream cake, which for years has taken center stage at birthday and holiday parties. We even miss being fondly called “Toots” now and again during our lighter moments. Well, that part maybe not so much.

It has been an honor to work side by side with Judge Lynne Battaglia. I am honored, moreover, to call her my friend. Like the Honorable Rita C. Davidson and the Honorable Irma S. Raker before her, Judge Battaglia carried the heavy burden of proving that a woman could and would perform as an appellate judge. Like them, she blew those concerns out of the water. Like her two predecessors, Judge Battaglia changed the face of the Court of Appeals. Today, there is not a shard left of a glass ceiling in the Maryland Judiciary. Today, the Court of Appeals reflects the people it serves, allowing all of Maryland’s citizens to find justice. Thank you, Judge Battaglia, for that and much more.

### **A TRIBUTE TO THE HONORABLE LYNNE A. BATTAGLIA**

ANDREA LEAHY\*

It is fortunate that the several authors of this Tribute to the Honorable Lynne Battaglia have been asked to write about different parts of her life. Otherwise, it would be impossible for us each to adequately cover Judge Battaglia’s profound contributions to the law and the community at large. My focus is on Judge Battaglia’s career before she became a judge, and more specifically, her tenure as the United States Attorney for the District of Maryland from 1993 to 2001.

Lynne Battaglia embarked on her public service career as an Assistant United States Attorney (AUSA) for the District of Maryland in 1978 after spending several years in private practice at the law firm of Semmes, Bowen & Semmes. While at the U.S. Attorney’s Office, and later in the Tax Division of the Department of Justice, she distinguished herself as a litigator and received numerous awards.

In 1988, she was appointed by Maryland Attorney General J. Joseph Curran as Chief of the Criminal Investigations Division, and several years later became the Chief of Staff to United States Senator Barbara A. Mikulski. That was when I first met Lynne. She was the guest speaker at a Women’s History Day celebration in Prince George’s County. I will always recall how her speech inspired me. Lynne motivated me to reach beyond my job

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\* Judge, Court of Special Appeals of Maryland, At Large.

description to make a difference in the community and to help other women who were still largely newcomers to the legal profession.

Then in November 1993, Lynne Battaglia became the first woman appointed to the office of United States Attorney for the District of Maryland. Under Lynne Battaglia's leadership, the civil rights, environmental crimes, health care fraud, and child pornography divisions of the Maryland U.S. Attorney's Office gained national prominence and recognition.

I asked the current United States Attorney for the District of Maryland, Rod Rosenstein, to provide a comment for inclusion in this Tribute. He writes:

Lynne Battaglia brought tremendous energy to the job of United States Attorney. Among other accomplishments, Judge Battaglia focused federal resources on combating armed criminals and child exploitation. The gun crime program reported monthly on the status of every case. She built the office's affirmative civil enforcement and environmental crime programs. She faithfully implemented the federal sentencing guidelines, personally approving every departure. She also implemented a new focus on victims' rights. Judge Battaglia hired many exceptional attorneys and staffers, and she oversaw the creation of the Southern Division branch office in Greenbelt, Maryland.

Indeed, Lynne Battaglia did far more than simply carry out the duties of the Office. She forged entire new programs, including the DISARM Program, through which the Office prosecuted over 300 felons in possession in one year alone; the child support program, through which the office prosecuted willfully errant spouses who failed to pay child support; and the health care initiative, through which the Office prosecuted health care fraud. Hollis Fleischer, a former AUSA, describes Lynne Battaglia as:

[A] strong, incisive, effective, thoughtful, compassionate, ethical, and courageous leader, who led the Office in pursuit of health care providers who defrauded Medicare, Medicaid, and other government health programs, and who established a Quality of Care Initiative to protect some of society's most vulnerable citizens: the residents of long-term care facilities and other institutions.

Regarding her civil rights initiatives, former AUSA Steven Dettelbach relates that:

[W]orking for, and being led by, Lynne Battaglia was a little like holding onto the tail of a tiger. Whether it was trying to reform a difficult police department, or investigating a cross burning in Bowie, or bringing human trafficking cases even before people knew what to call it, we were all over the place. When you worked for Lynne Battaglia you might have been standing in court arguing

an important point of law, or attending a community meeting at night in Washington County, or testifying about expanding the hate crimes law before a committee of the House of Delegates. But I will tell you one place you would have never been—sitting at your desk, bored. What a privilege it was and what a model she is for making the law help real people.

Lynne Battaglia was always on the cutting edge of law enforcement. She established a model environmental crimes unit headed by former AUSA Warren Hamel, and pioneered efforts in prosecuting domestic violence crimes. AUSA Bonnie Greenberg recounts the example of a case she co-chaired with Lynne Battaglia in 1999 involving Edwin Carter, a man from Oregon who was the first person to be charged in Maryland under a new federal anti-stalking law.<sup>1</sup> On July 23, 1999, he was sentenced to nearly three years in federal prison for terrorizing four women he once dated—relentlessly threatening to kill or maim them, stalking them at work and at home and even telling one woman’s family that she was dead. Greenberg noted that the sentencing hearing was quite contentious, and lasted five days. Lynne successfully established that Carter’s behavior towards women over the past decade had been meticulous and planned, and showed no signs of improvement.<sup>2</sup> Greenberg knew that Lynne became personally involved in this prosecution because Carter’s actions were so vicious. During the course of the proceedings Lynne observed, “You can’t come away from hearing [the victim’s] stories and not be impressed by how stalking can affect people’s lives.”<sup>3</sup>

Lynne Battaglia also made her mark at the national level. She served as Vice-Chair of Attorney General Reno’s Advisory Committee and as Chair of the Justice Department’s Health Care Fraud, Civil Rights, and Environmental Subcommittees. She was selected to serve as the Core City United States Attorney, wherein she supervised the activity of the Mid-Atlantic Organized Crime Drug Enforcement Task Force. In the summer of 1994, she was asked by the White House, through its Office of National Drug Control Policy, to spearhead the establishment of a High Intensity Drug Trafficking Area (“HIDTA”) in the Washington, D.C. metropolitan area to address the serious increase in illegal drug trafficking. According to AUSAs Stephen Schenning and Harvey Eisenberg:

The Washington/Baltimore HIDTA was created and began operation in April 1995, a mere eight months after Lynne received

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1. *Ore. Man Pleads Guilty Under Anti-Stalking Law*, BALT. SUN (Mar. 27, 1998), [http://articles.baltimoresun.com/1998-03-27/news/1998086087\\_1\\_stalking-danoff-carter](http://articles.baltimoresun.com/1998-03-27/news/1998086087_1_stalking-danoff-carter).

2. Laura Sullivan, *N.C. Man Sentenced for Threats to Women*, BALT. SUN (Jul. 24, 1999), [http://articles.baltimoresun.com/1999-07-24/news/9907240088\\_1\\_carter-stalking-arundel-county](http://articles.baltimoresun.com/1999-07-24/news/9907240088_1_carter-stalking-arundel-county).

3. *Id.*

the White House request. Were it not for Lynne's leadership and offering the prestige of her office in support of this effort, it's a certainty that the HIDTA would not have been established in such a short period of time, if at all. The Washington/Baltimore HIDTA continues to operate and is widely considered to be one of the nation's most effective HIDTAs.

As related above, I had met Lynne Battaglia before, but I did not really get to know her until I joined the Office in 1999. Working for this hard-driving woman of vision, courage, and boundless energy was not always easy. She was demanding, and she didn't always sugarcoat things. But she stood by me and her employees when we needed her most. I witnessed Lynne challenge powerful agencies and interests to fight principled causes. Not only did Lynne refuse to avoid controversial issues, she took them on before they were identified by anyone else—always feeling a responsibility to take action where there was a need.

Lynne also cared, on a personal level, about the well-being of all of her employees and clients. I remember one time when I was called into her office, sure that she wanted to discuss a case that I had pending in the Fourth Circuit, so I brought those files with me. But instead, she wanted to talk about how to help me get the proper care for my mother, who had suffered a stroke the year before, and about work-life balance because I had two children and a demanding job.

Marcia Murphy, who worked for Lynne Battaglia and is currently the Office's public affairs specialist, observes that as the first woman U.S. Attorney for Maryland:

Lynne spent a lot of time mentoring and encouraging women in the legal profession. She spoke to numerous women's groups and worked with the Girl Scouts and other groups. She was also very supportive of the administrative staff and legal assistants, meeting with us on a regular basis and making us feel like we were part of the team.

Lynne has a unique awareness and ability to reach people and motivate them. An example of this, and her powerful vision, is the more recent Finding Justice Project, which has culminated in the publication of the highly acclaimed book, *Finding Justice: A History of Women Lawyers in Maryland Since 1642*.<sup>4</sup> The royalties from sales of the book go to scholarships for Maryland law students interested in studying women's issues. Under Lynne's leadership, a collection of attorneys and professors from across the state—all volunteers—marshaled their resources to collect the necessary

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4. FINDING JUSTICE: A HISTORY OF WOMEN LAWYERS IN MARYLAND SINCE 1642 (Lynne A. Battaglia ed., 2015).

research, photographs, and documents to then write and publish this scholarly work.

I am but one of many people who can say that Lynne Battaglia has been an inspiration in my life. Lynne is the consummate leader and role model who has demonstrated a deep and profound commitment to excellence, fairness, and equality under the law. Given Lynne's unmatched energy, work ethic and passion for life, she will no doubt remain a force in the legal community for years to come. Thank you, Lynne, for your example, and for the doors you have opened for so many.

**THANK YOU JUDGE LYNNE A. BATTAGLIA  
FOR HELPING US UNDERSTAND THAT  
PROFESSIONALISM MATTERS**

THOMAS E. LYNCH, III\*

*Professionalism is the combination of the core values of personal integrity, competency, civility, independence, and public service that distinguish lawyers as the caretakers of the rule of law. . . .*

*Lawyers are entrusted with the privilege of practicing law. . . .*

*Each lawyer, therefore, as a custodian of the system of justice, must be conscious of this responsibility and exhibit traits that reflect a personal responsibility to recognize, honor, and enhance the rule of law in this society.<sup>1</sup>*

We, the lawyers and judges in this state, owe her Honor, Lynne A. Battaglia, an immense debt of gratitude for reminding us forcefully and frequently of our obligation to be professional in everything we do. Many of us have walked with her Honor on this journey over the past 10 years or more, but there will never be a doubt that Judge Battaglia was our leader and champion.

As advocates and jurists, we may sometimes forget that we are the caretakers and stewards for our system of justice and the rule of law which constitutes the centerpiece of our fragile democracy. In the heat of battle

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1. MD. R. App'x (Ideals of Professionalism) <http://www.courts.state.md.us/attygrievance/pdfs/newrules178.pdf>.

(and particularly in our struggle to make a living), we may be tempted to say or do something which tarnishes the image of this noble profession and diminishes the public's respect for our courts. Erosion of confidence of the American people in our system of justice is something about which we, the lawyers and judges in this state and country, need to be concerned because the very rule of law rests upon citizens' trust and confidence in the impartiality of decisions founded in the law. It is precisely these concerns which underlie the efforts to promote and enhance professionalism in this state and many of our sister states.

In Maryland, we were a little bit tardy in coming to recognize the import of examining the state of professionalism and the need for programs and initiatives to enhance professionalism. Our good fortune came when Her Honor, Judge Lynne Battaglia, having already enjoyed a distinguished career as an Assistant Attorney General, our first woman U.S. Attorney and counsel to Senator Mikulski, was appointed to the Court of Appeals. From virtually the outset of her tenure on the Court, Judge Battaglia took it upon herself to inspire and spearhead efforts to identify impediments to professionalism and steps needed to enhance professionalism among all of the judges and lawyers in this state.

For those of us who have practiced for a number of years, we recall that in 2002, the Court of Appeals created a Professionalism Task Force. Acting with that impetus, Chief Judge Bell, with Judge Battaglia at his side (and Norman L. Smith, Esquire, as a faithful and extraordinary Reporter), travelled throughout all 24 jurisdictions in this state and solicited input from members of the Bar and the judiciary at town hall sessions. My file from that era reflects that ninety-nine judges and lawyers attended the outreach session in Frederick County alone. That statewide outreach led to certain conclusions, including the conclusion that there had been an erosion of professionalism which was more acute in urban areas (in part due to the infrequency of contact lawyers and judges have with each other) and less acute in rural areas.<sup>2</sup>

Various recommendations arose from the Task Force's report, including the creation of a Professionalism Commission which would be charged to identify the indicia of professionalism and standards of professional conduct to guide its work.<sup>3</sup> Among its other recommendations, the Task Force emphasized the need to address discovery abuses by updating discovery

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2. MD. JUDICIAL TASK FORCE ON PROFESSIONALISM, REPORT AND RECOMMENDATIONS 4 (2003), <http://mdcourts.gov/publications/pdfs/professionalism2003.pdf>.

3. *Id.* at 7–10.

guidelines and encouraged mentoring of newly admitted lawyers to assist them adjust to the practice of law in the real world.<sup>4</sup>

Acting on these recommendations, the Court of Appeals, with Judge Battaglia's prodding, created a Professionalism Commission by Court Order in 2004. Judge Battaglia, as a primary architect of these efforts, not surprisingly, was appointed Chair of the Professionalism Commission and, over the succeeding five years, led the Commission with vigor and enthusiasm.

Under Judge Battaglia's able leadership, the Professionalism Commission produced a number of notable achievements, including:

1. Researching, drafting and obtaining court approval for Ideals of Professionalism, which, following adoption by the Court of Appeals, are included as an appendix to the rules of Professional Conduct, and serve as a guide to all of what is expected of us as lawyers and judges in this state<sup>5</sup>;
2. Updating the professionalism course and providing instruction on professionalism to thousands of new lawyers in Maryland so as to provide the foundation and clear understanding of what is expected of lawyers in this state<sup>6</sup>; and
3. Studying efforts in other states to improve training and education for new lawyers which, ultimately, led to the creation of a mentoring program, matching experienced lawyers with newly admitted lawyers.<sup>7</sup>

The success of the Commission led the Court of Appeals to recognize, again with Judge Battaglia's encouragement, the importance of having a consistent, established resource to accumulate information about professionalism, and an advocate for programs designed to enhance professionalism and to address important issues which may impact professionalism as they arise. This recognition led the Court, in 2012, to create the Maryland Professionalism Center, chaired by Judge Battaglia and comprised of a distinguished board, including a representative from the Court of Special Appeals, the Deans of our two law schools, Judges from our

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4. *Id.* at 8, 9.

5. MD. JUDICIAL COMM'N ON PROFESSIONALISM, REVISED REPORT AND RECOMMENDATIONS 6–10 (2007), <http://msa.maryland.gov/megafile/msa/speccol/sc5300/sc5339/000113/013000/013119/unrestricted/20100995e.pdf>; *see also* MD. R. App'x (Ideals of Professionalism) <http://www.courts.state.md.us/attygrievance/pdfs/newrules178.pdf>.

6. MD. JUDICIAL COMM'N ON PROFESSIONALISM, *supra* note 5, at 35–36.

7. *Id.* at 14.

Circuit and District Courts, and lawyers who have been involved in these efforts for many years.<sup>8</sup>

The Center, since its creation, also has contributed to the advancement of professionalism in a number of ways, including the following:

1. Upgrading, improving and enhancing the professionalism course in terms of curriculum, quality of teaching, quality of video presentations and overall, improving the course for all attendees;
2. Serving as the impetus for the creation of a professionalism course for Judges;
3. Serving as the impetus for the Symposium for the Bench and Bar on October 31, 2014, entitled *Maryland Law 20/20: A Vision*, which was presented in conjunction with the Maryland State Bar Association;
4. Creating, implementing and carrying through on a mentoring program (including developing forms and recommended approaches) which has provided mentoring guidance for hundreds of recent graduates from law school as they begin practicing law in the state;
5. Creation of subcommittees charged with responsibility for studying various substantive issues, including, among other things, issues of concern relating to the “graying of the bar” which have led to not only a presentation at the Symposium, but a series of recommendations which the Professionalism Center Board hopes to implement in collaboration with the Maryland State Bar Association, its Professionalism Committee and its Senior Lawyer’s Committee; and
6. Creating and maintaining a webpage dedicated to issues of professionalism.<sup>9</sup>

With Judge Battaglia’s retirement from the Court of Appeals, we have lost the voice of a noble advocate who encouraged each one of us to take responsibility for ensuring that the respect for the rule of law remains paramount in everything we do. Judge Battaglia’s legacy on these issues is secure and will continue to inspire efforts of those involved on the Professionalism Board and the Professionalism Committee of the State Bar Association who are committed to pursue the initiatives commenced under Judge Battaglia’s leadership. While she may be retired from the Court of

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8. See *Maryland Professionalism Center*, MD. STATE ARCHIVES, <http://msa.maryland.gov/msa/mdmanual/33jud/html/20profession.html> (last visited Aug. 26, 2016).

9. See MARYLAND PROFESSIONALISM CENTER, INC., [www.marylandprofessionalism.org/](http://www.marylandprofessionalism.org/) (last visited Sept. 8, 2016).

Appeals, we expect to enlist Judge Battaglia's assistance in furtherance of these efforts. We can never be complacent about these issues. Recent studies have demonstrated that now, more than ever, we, as a profession, need to support each other and embrace our role as the caretakers of our system of justice and the rule of law upon which our democracy rests.<sup>10</sup>

Judge Battaglia, please be ready because we will be knocking on your door and value your continuing guidance and inspiration. Thank you, Your Honor, for your relentless pursuit of excellence and your untiring efforts to make all of us better and more aware of our solemn oath and responsibility as stewards of the rule of law.

### LYNNE BATTAGLIA: WHAT A CAREER AND WHAT A LEGACY!

WILLIAM L. REYNOLDS\*

A teacher is very proud of his students, especially those who go on to do great things. Lynne Battaglia—now a retired Judge on the Court of Appeals of Maryland—has made me enormously proud. She was in the first class I ever taught. I was a year out of law school, and I had no business being in front of a law school class. I was terrified. No wonder: Lynne's section was full of wonderful people who went on to have fine careers.

The class could have torn apart a rookie like me; instead, they were incredibly nice. Early on, I learned that Lynne had been a doctoral student in American history. That impressed and scared me at the same time. But I found Lynne a great student to call upon because she was smart, prepared, and, best of all, she gave me no problems.

Lynne, of course, went on to a spectacular career, culminating in her roles as chief of staff to the wonderful Senator Barbara Mikulski, then as the first female United States Attorney for the District of Maryland, and finally as a judge on our state's highest court. Lynne also has been a long-time adjunct at both this law school and the University of Baltimore School of Law.<sup>1</sup> Although Lynne rose to the very top of the legal profession, her

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10. *See, e.g.*, Patrick R. Krill, Ryan Johnson & Linda Albert, The Prevalence of Substance Abuse and Other Mental Health Concerns Among American Attorneys, *J. ADDICTION MED.*, Feb. 2016, at 46.

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1. A fond memory. Lynne came into a classroom to teach after I had finished teaching in the same classroom, and we started talking during the break about "the law." Students enrolled in

character has never changed; through it all, she has remained the eternally nice, caring, fun, sometimes difficult, and always humble person I first knew back in 1971. What an achievement for someone with so many accomplishments!<sup>2</sup>

Other writers in this Tribute will cover different aspects of Lynne's career. I want to talk briefly about a remarkable book that she conceived, developed, and brought to fruition: *Finding Justice: A History of Women Lawyers in Maryland Since 1642*.<sup>3</sup> This wonderful book traces that history from the mid-seventeenth century seminal figure of Margaret Brent to today's almost fully (and finally!) integrated bar. *Finding Justice* is a project of the Finding Justice Project, chaired by Lynne. Andrea Leahy, now a judge on the Court of the Special Appeals, chaired the project that produced the book, and many others contributed significant essays.

They have put together a marvelous volume. It begins with Margaret Brent, of course, and then traces the evolution of women attorneys over the years. There are chapters on the earliest female attorneys who led the way to the eventual admission of women to the bar and to the law school in the Twentieth Century, the role of women lawyers between the World Wars, and African-American women lawyers. There are also chapters on mentoring traditions among and other career influences on female attorneys, oral histories of women attorneys, and biographical information on the first eight women admitted to the bar in the last century. There is even a section on photographs of courthouses. Finally, but by no means least, there is a list—and a fascinating sketch—of admitted female attorneys from 1902 to 2014.

Each chapter is fascinating, but I shall concentrate on only two. The first, on early women lawyers, explains much about the status of women in early colonial history. Margaret Brent was a widow, and, therefore, a *femme sole*—an unmarried woman. This status permitted her to petition and gain access to the Provincial Court of Maryland as an attorney, where she was apparently a star; her name appears in court records 142 times between 1642 and 1650.<sup>4</sup> Indeed, she was so good that in 1647, when Governor Calvert died, he named her as his executor.<sup>5</sup>

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Lynne's class trickled in and began to listen. We finally stopped twenty minutes into her class; the students were fascinated by our exchange; it was a real learning experience for them.

2. Her judgment was lacking on at least one occasion, however, when she referred to me as her "mentor" and cited one of my books. *Weitzel v. State*, 384 Md. 451, 466, 863 A.2d 999, 1007 (2004) (Battaglia, J., dissenting) (citing WILLIAM L. REYNOLDS, *JUDICIAL PROCESS IN A NUTSHELL* (3d ed. 2003)). Oh well, no one's perfect.

3. *FINDING JUSTICE: A HISTORY OF WOMEN LAWYERS IN MARYLAND SINCE 1642* (Lynne A. Battaglia ed., 2015).

4. *Id.* at 27.

5. *Id.* at 28.

Brent was not alone. This surprised me. *Finding Justice* recounts the stories of a number of other seventeenth century female attorneys.<sup>6</sup> But the inevitable happened, of course. As the Maryland bar grew larger and more professional, it sought to restrict access so that it could reap oligopolistic profits.<sup>7</sup> Women (and later, African Americans) were frozen out of the licensing process. Their attempts to reclaim status present a riveting tale. The story includes very strong-minded suffragettes and other women determined to become practicing attorneys. The saga also concerns the difficulties of access to the bar by women and minorities imposed by the white male bar. It is, in short, a story of heroism among the strivers and naked prejudice among the Establishment.

The chapter on African-American women attorneys between 1946 and 1974 is equally fascinating. It recounts a history of double prejudice. Women were not admitted to the University of Maryland Law School until 1920, but the first black women were not admitted until 1942, six years after the landmark Court of Appeals decision, *Pearson v. Murray*,<sup>8</sup> which ordered the admission of qualified African American students to this law school. *Finding Justice* tells the struggles these pioneer women faced. It has been a long struggle, and one that is by no means over.

*Finding Justice* is a marvelous book at both the historical and inspirational level. I learned much from it, but more important, I think is it has enormous inspirational value. I have heard from both students and attorneys, male and female, about how it has affected their lives.

*Finding Justice* would be a fine legacy for anyone. But Lynne's legacy extends well beyond this work. She has been an outstanding judge and public figure for many years. She has been a role model for countless students and others, both male and female. Lynne has been a wonderful friend to many others, including me. I am very glad that Lynne showed up in my first class forty-five years ago. I was very lucky. Thank you, Lynne.

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6. *Id.* at 29–33.

7. *Id.* at 33.

8. 169 Md. 478, 182 A. 590 (1936).